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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS
LTD. and PEBBLE LIMITED
PARTNERSHIP,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Defendant.

No. 3:24-00059-SLG

**PLAINTIFFS' MOTION FOR AN EXTENSION OF TIME TO FILE
RESPONSES TO MOTIONS TO INTERVENE**

Plaintiffs, Northern Dynasty Minerals Ltd. (“Northern Dynasty”) and Pebble Limited Partnership (“Pebble Partnership”) (“Plaintiffs”), respectfully move for a 7-day extension of time to file their Responses to the Motions to Intervene filed in the above-captioned case, and state as follows:

1. On May 17, 2024, three Motions to Intervene were filed by the following Intervenor-Defendants:

- United Tribes of Bristol Bay, Bristol Bay Native Association, Inc., Bristol Bay Economic Development Corporation, Bristol Bay Native Corporation, Bristol Bay Regional Seafood Development Association, Inc., and Commercial Fishermen for Bristol Bay [ECF 21];
- Trout Unlimited [ECF 23]; and
- SalmonState, Alaska Community Action on Toxics, Alaska Wilderness League, Alaska Wildlife Alliance, Cook Inletkeeper, Friends of McNeil River, Kachemak Bay Conservation Society, National Parks Conservation Association, National Wildlife Federation, Sierra Club, The Alaska Center, Wild Salmon Center, Center for Biological Diversity, Earthworks, Friends of the Earth, and Natural Resources Defense Council [ECF 32].

2. Plaintiffs’ Responses to the three Motions are currently due on May 31, 2024.

Under this requested extension, Plaintiffs’ Responses would be due on June 7, 2024.

3. Plaintiffs request this brief extension of time because there are three separate motions at the same time, which increases the complexity of Plaintiffs' task and the burden of preparing their responses. Additionally, Counsel have been engaged in a substantial filing in a large international arbitration, a petition for certiorari being filed on May 31, 2024, and an appeal brief in another matter (*Karr v. Kansas City Life Insurance Co.*) that is also due tomorrow, May 31, 2024.

4. Plaintiffs have conferred with the counsel that filed the three motions to which Plaintiffs are responding.

5. Counsel for Bristol Bay Regional Seafood Development Association, Inc., Bristol Bay Economic Development Corporation, SalmonState, Alaska Community Action on Toxics, Alaska Wilderness League, Alaska Wildlife Alliance, Cook Inletkeeper, Friends of McNeil River, Kachemak Bay Conservation Society, National Parks Conservation Association, National Wildlife Federation, Sierra Club, The Alaska Center, Wild Salmon Center, Center for Biological Diversity, Earthworks, Friends of the Earth, and Natural Resources Defense Council indicated that they do not oppose the requested extension with an understanding that, if the Court grants Plaintiffs' requested extension, Plaintiffs will not oppose their clients' future request for an extension of time until June 21, 2024 to file a reply in support of their motions.

6. Plaintiffs also received a response from counsel for Trout Unlimited, who inquired as to the basis for Plaintiffs' motion. Plaintiffs responded with the basis for this motion for extension of time. Counsel then replied that he was asking about the substance of Plaintiffs' opposition to the Motions. When Plaintiffs responded that he need not be privy to the basis for opposition prior to filing, counsel responded that he should be entitled to know the reasons for Plaintiffs' opposition if Plaintiffs intended to require Trout Unlimited to incur the time and costs of responding to Plaintiffs' opposition. He further responded that because he did not know the basis for Plaintiffs' opposition, he would be unable to consent or deny to this motion for extension of time.

7. At the time of this filing, Plaintiff had not yet received responses from counsel for the remaining Intervenor-Defendants.

8. A proposed Order granting this extension of time is provided herewith.

Dated: June 3, 2024

/s/ Keith Bradley
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*Attorneys for Plaintiffs Northern Dynasty Minerals Ltd
and Pebble Limited Partnership*

CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2024, I filed a true and correct copy of the foregoing document with the Clerk of the Court for the United States District Court of Alaska by using the CM/ECF system. Participants in this Case No. 3:24-cv-00059-SLG who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Thomas Amodio

Thomas P. Amodio